



W.P. (MD).No.17345 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.11.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.17345 of 2021
and WMP(MD)Nos.14228 and 14230 of 2021

1. M.Jeyaseelan
2. J.Subhapriyatharsini
3. M.Harish Vasanth
4. J.Akshaya Meena

... Petitioners

Vs

1. The District Collector,
District Collectorate, Madurai,
Madurai District.
2. Tamil Nadu Transmission Corporation Ltd.,
(TANTRANSCO), Rep. by its Director (Transmission Projects),
Koyambedu, Chennai-600107..
3. The Chief Engineer,
Tamil Nadu Transmission Corporation Ltd.,
(TANTRANSCO), Transmission Wing,
Madurai Region, Chennai-600107.
4. The Superintending Engineer,
Tamil Nadu Transmission Corporation Ltd.,



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General Construction Circle,
Transmission Wing, T.N.E.B.,
Madurai Region, Chennai-600 107.

5. The Superintending Engineer,
TANGEDCO, Madurai Metro Electricity Distribution Circle,
Madurai District.
6. The Executive Engineer,
TANGEDCO, Transmission, T.N.E.B.,
Madurai Region, K.Pudur, Madurai-625 007.
7. The Assistant Executive Engineer,
TANGEDCO, K.K. Nagar, Madurai- 625 020.
8. Amaze Properties India Limited,
Rep. by its Director Ravi

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbear the Respondents 1 to 8 from erecting the High Tension Tower and Lines in Survey Numbers S.Nos.105/1D1 at Kalikapan (Bit-I) Village, Madurai East Taluk, Madurai District without complying the procedure established under Section 68(1) of the Indian Electricity Act, 2003 and the Works of Licenses Rules, 2006.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.S.Deenadhayalan (R1 to R7)
Standing Counsel

Mr.K.Rajeshwaran(R8)



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ORDER

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This writ petition has been filed for the issue of a writ of mandamus forbearing the respondents 1 to 8 from erecting High Tension Towers and drawing lines in S.No.105/1D without comply with the procedure under the Indian Electricity Act, 2003.

2.When the matter was taken up for hearing, it was brought to the notice of this Court that the high tension tower has already been erected and the electric wires were drawn.

3.In view of the same, the relief sought for by the petitioner has become infructuous.

4.The learned counsel for the petitioners submitted that they will make a fresh representation to the respondents seeking for shifting the high tension tower, since they are running a petrol bunk and it will be risky to run the petrol bunk there.



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5.The learned counsel appearing for the eighth respondent submitted that no petrol bunk is being run by the petitioner.

6.The learned Standing Counsel appearing for the respondents 1 to 7 submitted that entire high tension tower has been laid in the property belonging to the eighth respondent.

7.In the considered view of this Court, it is not necessary for this Court to go into this dispute. If the petitioner makes any representation for shifting high tension tower, it can be considered by ascertaining as to whether any petrol bunk is being run by the petitioners and insofar as the shifting of tower is concerned, the same shall be decided by the respondents on its own merits and in accordance with law.

8.Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

08.11.2023

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
PNM

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To

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1. The District Collector,
District Collectorate, Madurai,
Madurai District.



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N.ANAND VENKATESH, J.

PNM

**ORDER IN
W.P. (MD).No.17345 of 2021
and WMP(MD)Nos.14228 and 14230 of 2021**

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